



PATENT  
Docket No. 2026-4124US5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kawakami et al.

Group Unit: 1642

Serial No. : 09/898,860

Examiner: Huff, S.

Filed : July 3, 2001

For : MELANOMA ANTIGENS AND THEIR USE IN  
DIAGNOSTIC AND THERAPEUTIC METHODS

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE  
CORRECTED APPLICATION PAPERS**

Dear Sir:

In response to the Notice to File Corrected Application Papers dated August 7, 2001, applicants provide the following remarks and submit the following papers.

Pursuant to MPEP 2422.05, applicants state that the paper copy of the Sequence Listing attached to this application is identical to the computer readable copy of the Sequence Listing filed in application Serial No. 09/267,439, filed March 12, 1999. In accordance with 37 CFR 1.821(e), please use the first computer readable form filed in application 09/267,439 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. A paper copy of the Sequence Listing is included in the originally-filed specification of the instant application.

Also, in response to the Notice, applicants submit herewith formal drawings, which are believed to comply with 37 C.F.R. §1.84. In particular, applicants submit nine sheets of Figures 1A, 1B, 2A-2B, 3A, 3B, 4A, 4B, 5A-5B and 6A-6C.

AUTHORIZATION

No fee is believed to be necessary.

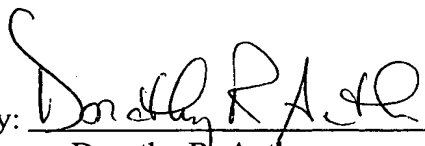
Should any fee(s) be required by the filing of this Response, the Commissioner is hereby authorized to charge any additional fees which may be required for this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4124US5.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition and for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 2026-4124US5. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

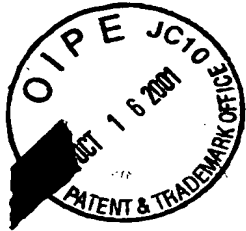
Dated: October 9, 2001

By:   
Dorothy R. Auth  
Registration No. 36,434

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PATENT  
Docket No. 2026-4124US5



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kawakami, et al.                      Group Art Unit: 1642  
Serial No. : 09/898,860                      Examiner: Huff, S.  
Filed : July 3, 2001  
For : MELANOMA ANTIGENS AND THEIR USE IN  
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CERTIFICATE OF MAILING (37 C.F.R. 1.8(a))

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

I hereby certify that the attached 1) Response to Notice to File Corrected Application Papers;  
2) Formal Drawings (Figures 1A, 1B, 2A-2B, 3A, 3B, 4A, 4B, 5A-5B and 6A-6C); 3) Copy of  
Notice to File Corrected Application Papers, and 4) Return postcard (along with any paper(s)  
referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the  
United States Postal Service on the date shown below with sufficient postage as first-class mail in an  
envelope addressed to the: Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

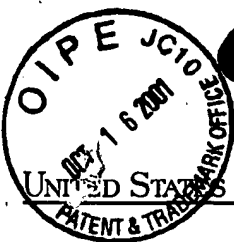
Date: October 9, 2001

By: Dorothy R. Auth

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov2026-4124 US5  
Auth

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/898,860	07/03/2001	Yutaka Kawakami	2026-4124US5

MORGAN &amp; FINNEGAN LLP

MORGAN &amp; FINNEGAN LLP

CONFIRMATION NO. 7029

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## FORMALITIES LETTER



\*OC00000006390599\*

Date Mailed: 08/07/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance with these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspt.gov](mailto:patin21help@uspt.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **7A-7B, 8A-8D** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

***A copy of this notice MUST be returned with the reply.***

Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**